

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remark made herein.

Claims 1-16 are pending and stand rejected. Claims 1, 2, 3, 4, 9, 10, 11 and 12 have been amended.

The Office Action states that the applicant's claim for priority is acknowledged based upon an application filed in the United Kingdom on 04/11/2000. However, the claim for priority cannot be based on this application since the U.S. application was filed more than twelve months thereafter.

Applicant thanks the examiner for his observation. However, after a careful review to the priority documents and the Declaration filed, applicant believes that a typographical error was entered on the Declaration because of the format used by the Patent Office of the United Kingdom. More specifically, the priority document from which priority is claimed, was filed on November 4, 2000, which is recorded in short-form as 4/11/2000 in the United Kingdom. This reversal of the day and month format, which is in common usage in the United Kingdom, was incorrectly entered on the Declaration rather than the US short-form of dating of 11/4/2000.

A printout showing the family filing history of the instant application was obtained from the European Patent Office, at www.epo.org and is enclosed in Appendix A. The printout illustrates that the priority document, GB200000026982, was filed on 20001104, i.e., November 4, 2000.

Accordingly, applicant believes that the claim of priority is valid and respectfully requests that it be maintained.

The drawings are objected to for containing no labels for each block in the figures.

Applicant thanks the examiner for his observation and has submitted herewith, in Appendix B, a properly annotated, in red ink, a replacement sheet containing Figures 1-3, which includes labels for the boxes shown therein.

Having provided properly annotated replacement sheets, applicant believes that the reason for the objection has been overcome. Applicant respectfully requests that the replacement sheet be entered and the objection withdrawn.

The specification is objected to for containing informalities and failing to contain section headings.

Applicant thanks the examiner for his observation and has amended the specification, in part, as suggested.

However, with regard to the inclusion of section headings, applicant respectfully submits that 37 CFR §1.77(b) discloses a *suggested* format for the arrangement of the disclosure. Applicant respectfully submits that the present disclosure follows the suggested format where applicable. With regard to 37 CFR§1.77(c), which was not cited in the Office Action, Applicant respectfully submits that section headings are suggested but not required, as 37 CFR §1.77(c) clearly states the sections defined in paragraphs (b) (1) through (b) (11) “should” be preceded by a section heading. Applicant respectfully declines to amend the disclosure to include the suggested headings at this time.

Having amended the specification, in part, to correct the informalities noted, applicant believes that the reason for the objection has been overcome. Applicant respectfully requests withdrawal of the objection.

Claims 1-16 are objected to for containing informalities.

Applicant thanks the examiner for his observation and has amended the claims as suggested.

Having amended the claims, applicant submits that the reason for the objection has been overcome. Applicant respectfully requests that the objection be withdrawn.

Claims 1-3, 5, 9-11 and 13 stand rejected under 35 USC §102(b) as being anticipated by Yamauchi (EP 0528530A1).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims.

Yamauchi describes a navigation system including position measurement receiver for receiving an electric wave, i.e., signal, from a satellite and for generating a current position data at each predetermined position measurement timing. Yamauchi further discloses a speed detection sensor indicating a speed of movement of a movable body and an update inhibiting unit that determines whether or not the movable body is maintained in a stationary state on the basis of the speed data and “inhibits the latest current position

data from being stored in the storage unit so that updating of the current position data stored in the in the storage unit is inhibited when it is determined that the movable body is maintained in the stationary state.” (see Abstract).

However, contrary to the statements found in the Office Action, Yamauchi fails to describe “changing a mode of processing of the incoming spread spectrum signal in response to the signal indicating the characteristic of movement of the mobile terminal,” as is described in the claims. Rather, Yamauchi teaches processing the input signal for determining a current position and in response to the signal indicating no movement of mobile device, inhibiting the updating of an already stored position with the recently determined current position.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference.

Yamauchi fails to describe changing the processing of the incoming signal based on a signal indicating a characteristic of movement but rather describes changing the processing associated with storing the results of the processing of the incoming signal based on the movement. Yamauchi cannot be said to anticipate the present invention, because Yamauchi fails to disclose each and every element recited.

Accordingly, applicant believes that the reason for the rejection of the claim has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to claim 9, this claim recites a receiver for implementing the method recited in claim 1 and was rejected for the same reason used in rejecting claim 1. Thus, the applicant's remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of claim 9. For the amendments made to the claims and for the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, herein, in response to the rejection of claim 9, applicant submits that the reason for rejecting this claim has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard the remaining claims these claims ultimately depend from the independent claims 1 and 9, which have been shown to contain subject matter not

disclosed by, and allowable over, the reference cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claims 1-2, 5, 6, 9-11, 13, 14 and 16 stand rejected under 35 USC §102(e) as being anticipated by Begin (USP no. 6,532,419).

Begin describes a navigation system that includes multi-axis-accelerometers that are used to propagate the position of the vehicle. The accelerometers require a training sequence to determine the orientation of accelerometers. (see ABSTRACT). Begin further discloses the system includes a GPS receiver (see col. 2, line 62), which may be used for learning the position of the vehicle. (see Figure 5, box 52 and col. 3, lines 64-67, which state, in part, "if a zero motion determination is made in step 50, the navigation system 20 determines whether to learn sensor orientation via comparison to signals from the GPS system in step 52). Figure 3 further illustrates that if GPS learning is determined then the remaining processing shown in figure 3 (and the Begin process) is aborted.

Hence, Begin teaches a system wherein GPS signals may be used for initial learning of the orientation and fails to describe "changing a mode of processing of the incoming spread spectrum signal in response to the signal indicating the characteristic of movement of the mobile terminal," as is described in the claims.

With reference to the processing steps 118-126 in Figure 6, referred to in the Office Action, applicant would submit that this processing fails to change the processing mode of the received GPS signal as the processing describes operations on ZMD data, which is associated with data from the accelerometers.

Accordingly, Begin determines whether GPS data should be used at all and fails to describe changing the processing of the incoming spread spectrum signal based on a signal indicating the characteristic of movement of the mobile terminal.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. Begin cannot be said to anticipate the present invention, because Begin fails to disclose each and every element recited.

Applicant submits that the reason for the rejection of the claim has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to claim 9, this claim recites a receiver for implementing the method recited in claim 1 and was rejected for the same reason used in rejecting claim 1. Thus, the applicant's remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of claim 9. For the amendments made to the claims and for the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, herein, in response to the rejection of claim 9, applicant submits that the reason for rejecting this claim has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to the remaining claims these claims ultimately depend from the independent claims 1 and 9 which have been shown to contain subject matter not disclosed by, and allowable over, the reference cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claims 7 and 15 stand rejected under 35 USC 103(a) as being unpatentable over Yamauchi in view of Krasner (USP no. 6,289,041).

With regard to claims 7 and 15, these claims dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

Amendment
Serial No. 10/003,058



Docket No. GB000151

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Aaron Waxler
Registration No. 48,027

A handwritten signature in black ink, appearing to be "Steve Cha", written over a horizontal line.

By: Steve Cha
Attorney for Applicant
Registration No. 44,069

Date: May 18, 2005

Mail all correspondence to:
Aaron Waxler, Registration No. 48,027
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9608
Fax: (914) 332-0615

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313 on May 18, 2005.

Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)

A handwritten signature in black ink, appearing to be "Steve Cha", written over a horizontal line. To the right of the signature is the date "5/18/05".

(Signature and Date)